

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ALEX D. TABOR,

Plaintiff,

-v-

6:22-CV-348

POLICE OFFICER BAYE,

Defendant.  
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APPEARANCES:

OF COUNSEL:

ALEX D. TABOR  
Plaintiff, Pro Se  
663 Bleeker Street  
Utica, NY 13501

DAVID N. HURD  
United States District Judge

**ORDER ON REPORT & RECOMMENDATION**

On April 13, 2022, *pro se* plaintiff Alex Tabor (“plaintiff”) filed this 42 U.S.C. § 1983 action alleging that defendant Police Officer Baye violated his civil rights. Dkt. No. 1. Along with his complaint, plaintiff sought leave to proceed *in forma pauperis* (“IFP Application”). Dkt. No. 2.

On June 22, 2022, U.S. Magistrate Judge Miroslav Lovric granted plaintiff’s IFP Application and advised by Report & Recommendation (“R&R”) that plaintiff’s complaint be dismissed with leave to amend. Dkt. No. 6. As

Judge Lovric explained, even broadly construed plaintiff's complaint is "largely indecipherable and devoid of factual assertions" and replete with "legal jargon that form[s] incomplete sentences." *Id.*

Although Judge Lovric expressed some skepticism about whether better pleading might lead to any cognizable claims, in light of plaintiff's *pro se* status he nevertheless recommended that plaintiff be given an opportunity to amend the complaint in accordance with Rule 8 of the Federal Rules of Civil Procedure. Dkt. No. 6

Plaintiff has not filed objections, and the time period in which to do so has expired. *See* Dkt. No. 6. Upon review for clear error, the R&R will be accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

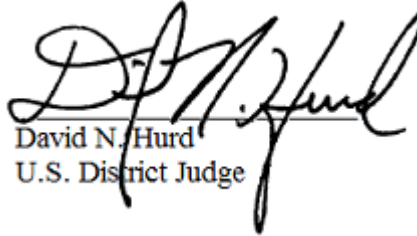
Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED;
2. Plaintiff's complaint is DISMISSED with leave to amend;
3. Plaintiff shall have thirty days from the date of this Order in which to amend his pleading in accordance with the instructions set forth in Judge Lovric's Report & Recommendation and this Order; and
4. If plaintiff does not file an amended complaint within this thirty-day period, the Clerk of the Court shall enter a judgment accordingly and close the file without further Order of this Court.

IT IS SO ORDERED.

Dated: July 13, 2022  
Utica, New York.



David N. Hurd  
U.S. District Judge